



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PETITION FOR RULEMAKING TO EXTEND CELLULAR ANALOG SUNSET DATE

RM No. 11355

Comments due January 19, 2007.
Reply Comments due February 6, 2007.

Pursuant to Section 1.403 of the Commission's rules,¹ the Wireless Telecommunications Bureau hereby seeks comment on a Petition for Rulemaking (Petition) filed by the Alarm Industry Communications Committee (AICC) and ADT Security Services, Inc. (ADT) on November 30, 2006.

According to AICC/ADT, the alarm industry uses a number of methods to remotely monitor alarm systems, including radios that rely on analog 800 MHz cellular radiotelephone service (cellular). In the Petition, AICC/ADT request that the Commission commence a rulemaking to examine whether the requirement, in Section 22.901(b),² that 800 MHz cellular licensees provide analog service to subscribers and roamers whose mobile equipment conforms to the Advanced Mobile Phone Service (AMPS) standard until February 18, 2008 (the analog sunset date), should be extended two years, until February 18, 2010.³

¹ 47 C.F.R. § 1.403.

² See 47 C.F.R. § 22.901(b). Section 22.901(b) provides:

Until February 18, 2008, each cellular system that provides two-way cellular mobile radiotelephone service must—

(1) Maintain the capability to provide compatible analog service ("AMPS") to cellular telephones designed in conformance with the specifications contained in sections 1 and 2 of the standard document ANSI TIA/EIA-553-A-1999 Mobile Station--Base Station Compatibility Standard (approved October 14, 1999); or, the corresponding portions, applicable to mobile stations, of whichever of the predecessor standard documents was in effect at the time of the manufacture of the telephone. . . .

(2) Provide AMPS, upon request, to subscribers and roamers using such cellular telephones while such subscribers are located in any portion of the cellular system's CGSA where facilities have been constructed and service to subscribers has commenced. . . .

³ See Year 2000 Biennial Review—Amendment of Part 22 of the Commission's Rules to Modify or Eliminate Outdated Rules Affecting the Cellular Radiotelephone Service and Other Commercial Mobile Radio Services, WT Docket No. 01-108, *Report and Order*, 17 FCC Rcd 18401 (2002) (adopting analog sunset).

The Petition also requests that the Commission confirm that cellular licensees must maintain a sufficient level of analog service until the sunset.⁴

AICC/ADT argue that there is insufficient time, trained technicians, and equipment, for members of the alarm industry to transition consumers, businesses, and government facilities from analog-only alarm radios—that are installed at customer premises, as either the primary or secondary path for communicating with central station alarm monitoring centers—to digital alternatives. According to AICC/ADT, digital replacement radios have only become available recently, and in limited numbers.⁵ AICC/ADT also contend that the current sunset date could result in users of personal analog-only alarm radios losing service.⁶

In order to help inform the Commission’s consideration of the AICC/ADT Petition, the Wireless Telecommunications Bureau hereby seeks comment on the Petition and specifically requests that interested parties provide detailed information and comment regarding the following issues:

- The number of alarm systems currently installed in the United States using analog-only cellular radios as a primary alarm communications path.
- The number and types of federal, state, local, and critical infrastructure facilities (*e.g.*, airports, power plants, and hospitals) using analog-only cellular radios as a primary alarm communications path.
- The number of individuals in the United States using analog-only cellular radios as a primary alarm communications path either for personal protection or for medical emergencies.
- The availability of personal protection or medical-emergency digital alarm radios to the public.
- The number of digital alarm radios that members of the alarm industry have installed as either a primary or secondary alarm communications path.
- The number of digital alarm radios that members of the alarm industry are provisioning to new subscribers each month.⁷
- The current and anticipated future availability of digital alarm radios for various spectrum bands, including spectrum in the bands used by providers of Personal Communications Service, and Specialized Mobile Radio Service.
- Specific initiatives undertaken by the alarm industry to notify consumers, businesses, and others that their analog-only equipment may no longer function in certain areas should the cellular licensees serving such areas elect to no longer support analog cellular service after February 18, 2008.
- The costs and other challenges (*e.g.*, the availability of analog network equipment) that cellular licensees would face if the analog sunset date were extended.
- The costs and other challenges that consumers, businesses, and others who currently rely on analog alarm radios would face if the analog sunset date is not extended (*e.g.*, whether insurance coverage or premiums would be impacted).

⁴ Petition at 26-28. Section 22.901(b)(2) provides, in relevant part, that “Cellular licensees must allot sufficient system resources such that the quality of AMPS provided, in terms of geographic coverage and traffic capacity, is fully adequate to satisfy the concurrent need for AMPS availability.” 47 C.F.R. § 22.901(b)(2).

⁵ Petition at 10-13.

⁶ *Id.* at 18-22.

⁷ The Petition indicates that ADT is installing approximately 10,000 digital cellular radios each month. *Id.* at 13.

- Whether consumers would be harmed if the sunset date is extended (*e.g.*, would an extension affect the introduction of new services desired by the American public).
- Statutory, case law, and other legal authority that would support an extension of the sunset date to enable the alarm industry to transition users from analog to digital alarm radios.

Procedural Matters

Comments on the Petition for Rulemaking are due **no later than January 19, 2007**. Reply Comments are due **no later than February 6, 2007**. All responsive filings should reference the rulemaking number of this proceeding, RM No. 11355.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁸ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁹ More than a one- or two-sentence description of the views and arguments presented is generally required.¹⁰

The Petition for Rulemaking is available for public inspection and copying in the Commission's Reference Center, Room CY A257, 445 12th Street, S.W., Washington, DC 20554. Copies of the Petition also may be obtained via the Commission's Electronic Comment Filing System (ECFS) by entering the rulemaking number, RM No. 11355. Copies of the Petition for Rulemaking are also available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal

⁸ *See* 47 C.F.R. §§ 1.1200(a), 1.1206.

⁹ *See* “Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings,” *Public Notice*, 15 FCC Rcd 19945 (2000).

¹⁰ *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well. *Id.* § 1.1206(b).

Service mail). The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties shall send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

Comments filed in response to this Public Notice will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW, Room CY-A257, Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the Rulemaking Number, RM No. 11355. The comments may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Alternate formats of this Public Notice (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or send an e-mail to access@fcc.gov.

FOR FURTHER INFORMATION, CONTACT: Richard Arsenault of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0920, richard.arsenault@fcc.gov.

Action by the Chief, Mobility Division, Wireless Telecommunications Bureau.

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